

Introduced by Senator Murray

February 12, 2003

An act to add Title 1.81.4 (commencing with Section 1798.110) to Part 4 of Division 3 of the Civil Code, relating to privacy.

LEGISLATIVE COUNSEL'S DIGEST

SB 186, as introduced, Murray. Privacy: video and biometric surveillance systems.

The California Constitution provides the citizens of California with an inalienable right of privacy. Existing law regulates the collection and disclosure of information concerning a particular person in specified situations.

This bill would permit a person, business, or other entity to use video or biometric identifier surveillance systems only as is reasonably necessary to protect public safety or personal property. The bill would prohibit a person, business, or other entity from selling or sharing video or biometric identifier surveillance system information, except as specified. The bill would define biometric identifier, and would except the sharing of surveillance and biometric identifier system information by a law enforcement agency with another law enforcement agency for a legitimate purpose from its provisions. The bill would also state the intention of the Legislature to establish security standards for video and biometric surveillance systems.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.



The people of the State of California do enact as follows:

SECTION 1. Title 1.81.4 (commencing with Section 1798.110) is added to Part 4 of Division 3 of the Civil Code, to read:

TITLE 1.81.4. VIDEO AND BIOMETRIC IDENTIFIER
SURVEILLANCE SYSTEMS

1798.110. (a) A person, business, or other entity may use video or biometric identifier surveillance systems only to the extent that it is reasonably necessary to protect public safety or personal property.

(b) A person, business, or other entity may not sell or share video or biometric identifier surveillance system information.

(c) This section does not apply to the sharing of surveillance and biometric identifier system information by a law enforcement agency with another law enforcement agency for a legitimate purpose.

(d) For the purpose of this section, “biometric identifier” means a physical or behavioral characteristic that is unique to a person.

SEC. 2. It is the intention of the Legislature to establish security standards for video and biometric surveillance systems.